

# Civil Enforcement Case Report

## Civil Enforcement Case

### Basic Information

**Case Number:** 02-2010-7956  
**Case Name:** Metro Energy of WNY, Inc. et al.  
**Case Category:** Administrative - Formal  
**Case Status (as of 08/04/2010):** Closed  
**Case Lead:** EPA  
**Court Docket Number:** II-UST-FC-665  
**DOJ Docket Number:** --

**Relief Sought:** --  
**Enforcement Outcome:** Final Order With Penalty  
**Headquarters Division:** --  
**Branch:** WTS  
**Result of Voluntary Disclosure?** No  
**Multi-media Case?** --  
**Enforcement Type:** RCRA 9006 AO For Comp And/Or Pen (UST) - UST Expedited Settlement Program  
**Violations:** UST Leak Detection And Repair

### Penalties/SEPs/Compliance Action Costs/Cost Recovery Amounts – Case Level

**Total Federal Penalty Assessed or Agreed To:** \$60  
**Total State/Local Penalty Assessed:** \$0  
**Total SEP Value:** \$0  
**Total Compliance Action Cost:** \$120  
**Total Cost Recovery:** \$0

### Case Summary

No RD records.

### Laws and Sections

Law	Sections	Programs
RCRA	9003	UST Release Detection Prevention Correction Regulations

### Citations

Title	Part	Section
40 CFR	280	34(b)(4)

### Facilities

FRS Number	Facility Name	Address	City Name	State	Zip	SIC Codes	NAIC Codes
110035838966	METRO ENERGY OF WNY INC	470 AURORA STREET	LANCASTER	NY	14086	5541, 5541	--

### Defendants

Defendants and Settlements	In Complaint	In Settlement
Metro Energy of WNY, Inc.	Y	Y
Wassim Issa	Y	Y

### Related Case Documents

Document	Facility Name	Publish Date	EPA Program
No data records returned			

### Case Milestones

Event	Actual Date
Enforcement Action Closed	08/04/2010
Final Order Issued	08/04/2010
Complaint Filed/Proposed Order	08/04/2010
Enforcement Action Data Entered	08/05/2010

### Pollutants

Pollutant Name	Chemical Abstract Number
No data records returned	

Related Activities

Description	Actual Date
Inspection/Evaluation	02/21/2008

Final Order 1

**Final Order Type:** Administrative Penalty Order With or Without Injunctive Relief  
**Final Order Name:** Metro Energy of WNY, Inc. et al.  
**Linked Facilities (FRS ID):** 110035838966  
**Final Order Lodged Date:** --  
**Final Order Entered Date:** 08/04/2010  
**Enforcement Action Closed Date:** 08/04/2010  
**Actual Termination Date:** --

Penalties/SEPs/Compliance Action Costs/Cost Recovery Amounts

**Federal Penalty Assessed or Agreed To:** \$60  
**State/Local Penalty Assessed:** --  
**SEP Value:** --  
**Compliance Action Cost:** \$120  
**Federal Cost Recovery Awarded:** \$0

Complying Actions

Complying Action ID	Category	Description
1800017509	Facility/Site Management or Information Practice	Migrated UST Release Detection

Supplemental Environmental Projects

SEP ID	Category	SEP Value	Description
No data records returned			

Estimated Pollutant Reductions

Resulting From	Pollutant	Estimated Annual Amount	Units	Media Affected
No data records returned				

NPDES Compliance Schedule

Schedule Number	Facility ID(s)	NPDES ID(s)	Event	Schedule Date	Actual Date	Amount
No data records returned						

Facilities

FRS Number	Program System Identifier	System	Active ID	Facility Name	Address	City Name	State	Zip	SIC Codes	NAICS Codes
110035838966	600045343	ICIS	N	METRO ENERGY OF WNY INC	470 AURORA STREET	LANCASTER	NY	14086	5541, 5541	--